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LETTER-MOTION – FILED VIA ECF

Hon. Stewart D. Aaron, U.S. Magistrate Judge
U.S. District Court, Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1970
New York, NY 10007

Application GRANTED. SO ORDERED.

Dated: December 7, 2022

Att C an

Re: *Johnson v. Tennyson, et al.* (1:22-cv-05683-JMF-SDA)
Letter-Motion for Extension of Time of
Scheduling Order for Damages Inquest

Dear Judge Aaron,

This firm is counsel to the Plaintiff, Eric Johnson, in the above-referenced action. Pursuant to Rules 5.2 and 7.1 of the Local Rules of the U.S. District Court for the Southern District of New York, Rule 13.1 of the ECF Rules & Instructions of the U.S. District Court for the Southern District of New York, and Your Honor's Individual Practices, Plaintiff, by and through his undersigned attorneys, hereby respectfully moves the Court for a 21-day extension of the deadlines for the parties' damages inquest submissions under the Scheduling Order for Damages Inquest (Dkt. 42) (the "Damages Inquest Order") in the above-referenced action.

The reason for this request is to allow adequate time for Plaintiff to gather all relevant documents, materials, and information relevant to his damages and monetary relief to be sought in connection with the damages inquest, with respect to which delays have been experienced due to the holidays and client travel and work commitments.

Plaintiff respectfully seeks an extension of 21 days of the deadlines under the Damages Inquest Order, as follows:

- Plaintiff's deadline to serve Defendants and file Proposed Findings of Fact and Conclusions of Law: extended from December 14, 2022 to **January 4, 2023**.
- Defendants' deadline to send to Plaintiff's counsel and file their response to Plaintiff's submissions: proposed extension from January 4, 2023 to **January 25, 2023**.

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This is Plaintiff's first request for an extension of time of the deadlines under the Scheduling Order for Damages Inquest. Because Defendants have not appeared in this action since withdrawal of their prior counsel and are in default (*see* Dkt. 36, 40), Plaintiff's counsel is unable to confirm Defendants' consent to this request. The requested extension of time will not impact any other scheduled dates in this action.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Alex Malbin', with a stylized flourish at the end.

Alexander Malbin, Esq.

*Counsel for Plaintiff,
Eric Johnson*